

Exhibit No. 10  
70-958

24 February 1970

MEMORANDUM FOR: Executive Director-Comptroller

SUBJECT: Agency Policy on Declassification  
and Publication of Agency Documents  
in Department of State Series

1. This memorandum is for your information and recommends actions for your approval in paragraph 10.

2. The Department of State has a program of declassifying and publishing documents which are considered of interest in the history of this country's international relations. These documents are published in a series entitled, "Foreign Relations of the United States, Diplomatic Papers." The Department's Historical Office reviews documents in its possession for possible inclusion in the series when they are about 20 years old. I understand that documents for 1945 and 1946 have been published and that those for 1947 are awaiting final selection.

3. Because CIA was created in 1947, the Agency will probably soon be confronted with a growing number of requests for permission to declassify and publish CIA documents held by the Department of State, which deal with significant international issues. Agency papers dealing with the Communist takeover in China, accusations by Senator McCarthy, and the North Korean attack in 1950 are possible examples.

4. Late last year Chuck Reichardt, Director of Intelligence for the AEC, handed General Cushman copies of a letter from the State Department's Historical Office to the Chief Historian of the AEC requesting permission to clear several 1947 papers involving nuclear energy matters for publication in the "Foreign Relations" series. The AEC noted that two of these documents were of primary concern to CIA and suggested that State seek the Agency's consent to their publication.

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5. One of the papers is a Top Secret "Interdepartmental Intelligence Study," dated 15 December 1947, from DCI Hillenkoetter entitled "Status of Russian Atomic Energy Project." This is essentially a forerunner of an NIE on the Soviet Atomic Energy Program. The second paper is a short memorandum dated 24 July 1947 from AEC Chairman Lilienthal to the Director of the Central Intelligence Group. This memo expresses the AEC's support for the establishment of a national system for long-range detection of nuclear explosions.

6. Initially I requested the Director of Security to check with appropriate Agency Offices and prepare an Agency position on the question of declassification and publication of the two documents. ONE, DDI, OSI, Chief, CI, and Chief, FI were consulted and they either concurred in or expressed no objections to release of the papers on security grounds. The Director of Security then sent a letter to the chief of State's Historical Office informing him of the Agency's position.

7. Shortly after this, I requested the Office of Security to postpone final delivery of the letter to State in order to obtain a determination from CIA's General Counsel whether the precedent established by release of the two rather innocuous 1947 documents would weaken the Director's ability to maintain control over access to other Agency documents. I also felt that the decision to permit overt publication of Agency papers in this series should have the Director's personal approval.

8. It is Mr. Houston's judgment that release of the two Agency documents for publication by State would not set a precedent which would bind the Agency in the future. He is confident that if the Agency had security or policy grounds for not wanting to authorize release and publication of certain Agency documents there would be no difficulty with State's Historical Office.

9. A remaining question is whether there might be adverse reaction from our Congressional Committees, or the White House, if release of Agency documents were highlighted in the press. There could be public criticism, too, on the grounds that the Agency could influence the record through selective release of Agency papers. These are additional reasons why the Director should be briefed on the case.

10. I recommend that the Director be briefed on this problem and that he be requested to make a policy decision whether the Agency will agree to consider release of its documents on a case-by-case basis for publication in the "Foreign Relations" series. If his decision is affirmative, then he should also be asked to approve release and publication of the two 1947 documents discussed in this paper. I also recommend that the Director's approval be required in all future cases involving the State "Foreign Relations" series, and that the Agency establish contact with State's Historical Office in order to keep abreast of their programs.

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1 - EA/DDCI

1 ER (not for Rd Bd or Journal)